

****NOT PRINTED FOR PUBLICATION****

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

SHERON GABRIEL TERRELL	§	
VS.	§	CIVIL ACTION NO. 9:17-CV-132
ZACHARY D. ROTH, <i>et al.</i> ,	§	

ORDER ACCEPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Sheron Gabriel Terrell, an inmate currently confined at the Polunsky Unit with the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against the following defendants: C/O III Zachary D. Roth, John Doe, Lieutenant Richard L. Ward, Lieutenant Brandon E. Miles or Lieutenant Elton J. Miles,¹ Assistant Warden Blake Lamb and Assistant Regional Director Matt Gross.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends dismissing this civil action as frivolous and for failure to state a claim. Report and Recommendation (docket entry no. 19).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleadings. No objections to the Report and Recommendation of United States Magistrate Judge has been filed. Plaintiff did file a "Notice to the Court of Immediate Release" on July 26, 2020 (docket entry no. 20). Plaintiff states he has made parole, complains of the conditions of his confinement as they relate to COVID-19 and then asks the Court to unilaterally stay all eleven cases plaintiff has currently pending in the

¹Plaintiff states they are brothers and it appears he does not know which one was involved in the incident at issue.

Lufkin Division before receiving further notice by plaintiff. Plaintiff has had sufficient time to file Objections to the Report and Recommendation but failed to do so. There is no basis to stay this action.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ACCEPTED**. A Final Judgment will be entered in accordance with the recommendations of the Magistrate Judge.

So ORDERED and SIGNED, Aug 15, 2020.

A handwritten signature in black ink, appearing to read "Ron Clark", written over a horizontal line.

Ron Clark
Senior Judge